

Hampden County D.A. to drop all small marijuana possession charges, in wake of Tuesday's election

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BOSTON - A day after voters overwhelmingly approved a ballot question to decriminalize marijuana, Hampden District Attorney William M. Bennett said Wednesday that he will drop all pending charges of possessing an ounce or less of marijuana and will no longer prosecute new cases.

Bennett said he wants to honor the spirit of the ballot initiative, which makes possession of an ounce or less of marijuana punishable with a civil fine of \$100. The law will take effect in late December or early January, officials said.

"I'm going to act as if the law were in effect now," said Bennett, who campaigned against the ballot question and said he hopes the results don't send the wrong message.

Bennett said he didn't know how many pending marijuana possession charges would be dismissed, but said he didn't think it would be significant. In the future, he said, he wants to focus on arresting drug dealers.

Voters approved the ballot question by about 65 percent to 35 percent.

District attorneys, county sheriffs and police chiefs all opposed the question, saying marijuana leads to use of harder drugs and causes serious health and safety problems.

Bennett said because of the strong support of the question he won't support any effort to repeal or amend the law. Prosecutors or police might eventually ask the state Legislature to alter the pending ballot law.

Elizabeth D. Scheibel, the district attorney for Franklin and Hampshire counties, said prosecutors would likely talk about their next step and what, if any, action they would pursue on Beacon Hill in response to approval of the ballot question.

The ballot question establishes a new system of civil penalties for possession, while retaining current criminal laws against cultivating, dealing and driving under the influence of marijuana.

Bennett said he also plans to end a program in his office that provides counseling for first-time drug offenders. The so-called diversion program includes a lot of marijuana cases.